

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

UNITED STATES OF AMERICA )  
v. )  
COREY R. CHRISTIE )  
A.K.A. UTAH CHRISTIE )  
Case Nos. 1:03-cr-237; 1:04-cr-78;  
1:04-cr-80; 1:04-cr-95;  
and 1:05-cr-3  
Judge Edgar

## **ORDER**

Defendant Corey R. Christie was convicted on sixteen counts of bank robbery in violation of 18 U.S.C. § 2113(a). On May 6, 2005, this Court entered the judgment of conviction against Corey R. Christie and ordered him to pay restitution in the total amount of \$74,733.76 to the victims of the sixteen bank robberies. On pages 8 and 9 of the judgment of conviction, this Court has set forth a schedule of payments in chart form containing the following information for each of the sixteen bank robberies: the name and address of the victim bank, the corresponding case number and count of the indictment, and the amount of restitution. The judgment does not provide that Corey R. Christie has joint and several liability with any other person to pay restitution to any of the victims of the sixteen bank robberies.

There is presently before the Court a motion by Corey R. Christie to clarify the terms of the order of restitution pursuant to 18 U.S.C. § 3664(k) due to a material change in his economic circumstances. Although Corey R. Christie has filed the motion only in lead Case No. 1:03-cr-237, the Court treats and deems the motion as also being filed in Case Nos. 1:04-cr-78, 1:04-cr-80, 1:04-

cr-95, and 1:05-cr-3.

The government does not oppose the motion. After reviewing the record, the Court finds there has been a material change in circumstances that affects the nature and extent of defendant Christie's obligation and liability to pay restitution to ten of the bank robbery victims.

On July 23, 2008, a judgment of conviction was entered in *United States of America v. Keith Enmon Pendergraph*, United States District Court for the District of South Carolina, Case No. 4:04-cr-163-TLW. This Court takes judicial notice of the judgment of conviction against Keith Enmon Pendergraph. Pendergraph has been convicted and sentenced for ten bank robberies that he committed together with Corey R. Christie in violation of 18 U.S.C. § 2113(a). The same ten bank robbery charges for which Pendergraph now stands convicted are included in the sixteen bank robbery charges for which Corey R. Christie has been convicted and ordered to pay restitution in the Eastern District of Tennessee. Pendergraph has been ordered to pay restitution in the total amount of \$53,637.76, and Pendergraph's obligation or liability to pay restitution to the victims of the ten bank robberies is made joint and several with Corey R. Christie.

18 U.S.C. § 3664(h) provides if the Court finds that more than one defendant has contributed to the loss of a victim, the Court in its discretion may make each defendant jointly and severally liable for payment of the full amount of restitution. When this District Court in the Eastern District of Tennessee entered the judgment of conviction against Corey R. Christie on May 6, 2005, it had no information about Pendergraph's joint involvement in ten of the sixteen bank robberies committed by Corey R. Christie. In the instant motion brought pursuant to 18 U.S.C. § 3664(k), Corey R. Christie seeks to have this Court consider these changed circumstances and clarify the order of restitution in his judgment of conviction to provide that Corey R. Christie has joint and

several liability with Keith Enmon Pendergraph to pay restitution to the victims of the ten bank robberies that were committed jointly by Corey R. Christie and Keith Enmon Pendergraph, as reflected by and consistent with the judgment of conviction and order of restitution entered against Pendergraph in the District of South Carolina.

For good cause shown, the motion by Corey R. Christie is **GRANTED** pursuant to 18 U.S.C. § 3664(k). The Court hereby **CLARIFIES and MODIFIES** the restitution payment schedule in the judgment of conviction that was entered against defendant Corey R. Christie on May 6, 2005, as follows. There is appended to this order as Appendix 1, a table or chart listing all sixteen bank robberies committed by Corey R. Christie. Appendix 1 also indicates and shows the ten bank robberies that were jointly committed by Corey R. Christie and Keith Enmon Pendergraph. The Court concludes that Corey R. Christie and Keith Enmon Pendergraph have joint and several liability to pay restitution to the victims of these ten bank robberies so indicated in Appendix 1.

In all other respects, the judgment of conviction entered by this Court against defendant Corey R. Christie on May 6, 2005, shall remain the same and is unchanged.

SO ORDERED.

ENTER this the 3rd day of October, 2008.

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*/s/ R. Allan Edgar*  
R. ALLAN EDGAR  
UNITED STATES DISTRICT JUDGE